

## REMARKS

Claims 1-6, 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Nevo et al. (hereinafter Nevo), US 6,320,873.

### Claims 1-7

According to the Examiner, GPRS 50 is the claimed switch. "The claimed switch is disclosed by GPRS (element 50) for communication between CDMA and GSM networks." Office Action, dated December 30, 2003, item 2 of the Detailed Action. In the Response to Arguments, the Examiner states that Nevo discloses "switch by GPRS communicating with CDMA network and GSM network (see Figure 1)." Thus, the switch of claim 1 is indicated by the Examiner as Nevo's GPRS 50.

The Examiner cites the BSS (Figure 1, element 32) as "the claimed first element communicating with CDMA radio access network using CDMA protocol," as required by Claim 1. The BSS 32 cited by the Examiner as the claimed first element is not an element of the GPRS 50 and therefore cannot be the claimed first element.

In addition, the BSS 32 does not meet the language of the claimed first element. According to claim 1, the first element communicates with a "CDMA radio access network." The Nevo BSS is a CDMA radio access network (RAN). The Nevo BSS does not communicate with a CDMA RAN as required by claim 1.

Applicants' specification at paragraph 21 states, "code division multiple access (CDMA) radio access network (RAN), generally designated 12," and Figure 1 shows reference numeral 12 pointing to CDMA base station 18 and CDMA base station controller 22. "As shown in Figure 1, the CDMA RAN 12 supports wireless communication between one or more base stations (BTS) 18 and mobile stations (MS) 20." Paragraph 22. Thus, the Nevo BSS is a CDMA RAN and does not communicate with a CDMA RAN and therefore does not meet the language of the first element of claim 1.

Nevo does not disclose a switch for supporting wireless communication, comprising "a first element communicating with a code division multiple access (CDMA)

radio access network (RAN) using CDMA protocol,” as required by claim 1; therefore, independent claim 1 is patentable. Claims 2-7 are patentable since they depend on patentable independent claim 1.

#### Claims 14-19

Nevo does not disclose amended independent claim 14. Nevo does not disclose “a packet data serving node (PDSN) element communicating with the CDMA RAN,” nor does Nevo disclose a “serving GPRS service node (SGSN) element communicating with the GSM core infrastructure.” As shown above, the Nevo BSS is not part of the switch; therefore, the BSS cannot be either element of the switch. Thus, independent claim 14 is patentable. Claims 18 and 19 are patentable since they depend on patentable independent claim 14. Claims 15-17 have been cancelled.

#### Claims 7, 20

Claims 7, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nevo et al. in view of Wang et al. U.S. 6,526,033.

Claim 7 is patentable since it depends on patentable independent claim 1. Claim 20 is patentable since claim 20 depends on patentable independent claim 14.

#### Claims 8, 9, 11-12, 21-25

Claims 8, 9, 11-12, 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. U.S. 6,526,033 in view of Forslow US 6,608,832.

Claim 8 requires “terminating point-to-point protocol (PPP) framing from the CDMA RAN and sending Internet Protocol (IP) to the GSM core infrastructure in response to selection of IP by a user of a CDMA mobile station communicating with the CDMA RAN.” Examiner points to the GSM user mobile device 240 as meeting the language of the first element of claim 8. Applicants respectfully disagree. The GSM user mobile device 240 does not send “Internet Protocol (IP) to the GSM core infrastructure in response to selection of IP by a user of a CDMA mobile station communicating with the

CDMA RAN,” as required by independent claim 8. Thus, independent claim 8 is patentable.

Likewise, independent claim 11 is patentable since user mobile device 240 does not send “Internet Protocol (IP) to the GSM core infrastructure in response to selection of IP by a user of a CDMA mobile station communicating with the CDMA RAN.”

Claims 9, 21, 23, and 25 are patentable since they depend on patentable claim 8. Claim 12, 22, and 24 are patentable since they depend on patentable claim 11.

#### Claims 10, 13

Claims 10, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. and Forslow in view of Nevo et al.

Claim 10 depends on patentable claim 8 and is therefore patentable. Claim 13 depends on patentable claim 11 and is therefore patentable.

#### Claims 26-29

Claims 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naqvi et al. US 6,545,992 in view of Forslow.

Examiner cites Naqvi at column 1, lines 19-21, for disclosing “[a] method for facilitating the use of a CDMA RAN with a GSM core infrastructure,” as required by independent claim 26. Column 1, lines 19-21 states in the Discussion of Related Art, “Third generation (“3G”) networks have been proposed. CDMA2000 and UMTS are two of the more popular proposed networks.” Naqvi describes a UMTS system. Naqvi does not describe “use of a CDMA RAN with a GSM core infrastructure.” “FIG. 1 shows an exemplary arrangement of a UMTS network 100.” Column 1, lines 26-27. “FIG. 2 is a system diagram of an illustrative 3G mobile networks according to one embodiment of the invention.” Column 1, lines 50-51. Compare FIG. 2 to FIG. 1. It is clear that FIG. 2 also describes a UMTS network 100 and does not describe a CDMA RAN with a GSM core infrastructure. Thus, the language of independent claim 26 is not met and is patentable. Claims 27-29, which depend on independent claim 26 are patentable since they depend on independent claim 26.

### CONCLUSION

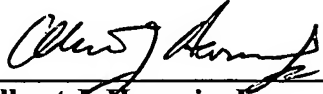
Claims 1-14, and 18-29 are patentable.

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: March 30, 2004

By:   
Albert J. Harnois, Jr.  
Attorney for Applicants  
Registration No. 46,123

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 651-1179  
Facsimile: (858) 658-2502